

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MADELYN RODIER,)	Case No. 1:11-cv-04769 (RBK)
)	(AMD)
Plaintiff,)	
)	(Document Electronically Filed)
v.)	
)	
CHICO'S FAS, INC., HEIDI)	
MARGGRAF, LISA SCHAFFER, AND)	
JOHN DOES 1 THROUGH 15,)	
inclusive, fictitious named defendants,)	Return Date: May 20, 2013
jointly, severally, and in the alternative,)	
)	
Defendants.)	ORAL ARGUMENT REQUESTED

**DEFENDANTS CHICO'S FAS, INC., HEIDI MARGGRAF, AND LISA
SHAFFER'S LOCAL CIVIL RULE 56.1 STATEMENT OF ADDITIONAL
UNDISPUTED FACTS IN SUPPORT OF THEIR MOTION FOR
SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT**

Dated: New York, New York
May 13, 2013

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Attorneys for Defendants CHICO'S FAS, INC., HEIDI MARGGRAF,
AND LISA SCHAFFER

Pursuant to Local Civil Rule 56.1(a), Defendants Chico's FAS, Inc. ("Chico's"), Heidi Marggraf ("Marggraf"), and Lisa Shaffer ("Shaffer")¹, by their attorneys Duane Morris LLP, submit this statement of additional material facts as to which there is no genuine issue to be tried, in support of their motion, pursuant to Rule 56(b) of the Federal Rules of Civil Procedure, for summary judgment dismissing the complaint of Madelyn Rodier ("Plaintiff") in its entirety.²

76. On or about July 10, 2009, Shaffer told Plaintiff she would see if Plaintiff wanted to be an assistant manager if Plaintiff was unable to meet her performance improvement plan within the 90 day period. (Pl. Dep. 173:2-14, 181:5-25).

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¹ Plaintiff misspelled Lisa Shaffer's name in the Complaint.

² The undisputed facts set forth herein are followed by citations to their support in the record. Unless otherwise noted, copies of all deposition testimony and deposition exhibits are annexed to the Declaration of Michael Tiliakos, Esq. ("Tiliakos Decl.") dated March 22, 2013.